

vitamin, a lipid soluble vitamin, an RNA cleaving complex, a metal chelator, a porphyrin, an alkylator, or a polymeric compound selected from polymeric amines, polymeric glycols and polyethers;

and wherein said conjugate optionally includes a linking moiety; provided that:

R<sup>12</sup> is a conjugate; or

at least one group R<sup>3</sup> is a conjugate; or

at least one of said groups A or said groups B include a conjugate; or

at least one of group R<sup>1</sup> or group R<sup>2</sup> is a conjugate; or

at least one of R<sup>3</sup>, R<sup>4</sup>, R<sup>5</sup>, R<sup>6</sup>, and R<sup>7</sup> is a conjugate; or

at least one of said groups C or said groups D include a conjugate.--

#### Remarks

Claims 1-36 are pending in this application. Claims 1-22, 24, 30 31 and 33 stand rejected. Claims 23, 25-29, 32 and 34-36 are objected to.

Claims 1-6 and 24 are proposed to be canceled without prejudice to their presentation in a continuing application. New claim 37 is identical to former claim 21, but further including, in the alternative, the limitations of dependent claims 23 and 25-29, each of which the Office Action has indicated to be allowable if rewritten in independent form. No new matter has been added.

Claims 1-6 are rejected under 35 U.S.C. § 112, first paragraph, for alleged lack of enablement. The Office Action has reiterated the rejection levied in the prior Office Action, i.e.,

that the specification does not provide enablement for the preparation of "unspecified polymers" within the scope of claim 1-6. While Applicants disagree for the reasons set forth in their prior response, the rejection is moot, as these claims are no longer pending in the present application. Accordingly, Applicants respectfully request withdrawal of this rejection.

Claims 1-6, 21, 22, and 24 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Summerton et al. The Office Action has again maintained its assertion that Summerton et al. anticipates the present claims, apparently on the basis that the benzyol or nitrobenzoyl protecting groups used in the Summerton et al. reference are "aromatic lipophilic molecules" as recited in the definition of "conjugates" in the present claims. While Applicants respectfully disagree for the reasons set forth in their prior response (i.e., that the Summerton benzyol and nitrobenzoyl groups cited by the Office Action are labile protecting groups and not components of the complete PNA conjugate), the rejection as applied to claims 1-6 and 24 is moot, as these claims are no longer pending in this application. Further, with regard to claims 21 and 22, claim 21 has been amended to recite, in the alternative, the limitations of claims 23 and 25-29, each of which the Office Action has indicated to be allowable if rewritten in independent form. Accordingly, it is believed that the rejection of claims 21 and 22 has been overcome. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection under 35 U.S.C. § 102(b).

Claims 1-20 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being


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unpatentable over claim 28 of U.S. Pat. Application serial number 08/595,387, now U.S. Patent No. 5,773,571, issued June 30, 1998. Applicants provide herein a terminal disclaimer over the 5,773,571 patent, thus overcoming the rejection.

Claims 21, 22, 24, 30, 31 and 32 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 8 and 34-48 of U.S. Pat. Application serial number 08/468,719. Applicants provide herein a terminal disclaimer over the 08/468,719 application, thus overcoming the rejection.

In view of the foregoing, Applicants submit that the claims presently before the Examiner patentably define the invention over the applied art and are otherwise in condition for ready allowance. An early Office Action to that effect is earnestly solicited.

Respectfully submitted,

  
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